

IOWA BOARD OF MEDICAL EXAMINERS

PRESS RELEASE

For release, November 6, 2002

Recently, the Iowa Board of Medical Examiners took the following action:

Acenas Asturias-Zarate, M.D., a 57 year-old obstetrician and gynecologist formerly practicing in West Des Moines, Iowa, entered into a Settlement Agreement with the Board to resolve pending disciplinary charges. On February 19, 2002, Dr. Asturias-Zarate's Iowa medical license was summarily suspended based on allegations that she suffers from a mental or physical condition which impairs her ability to practice medicine in a safe manner, she knowingly made untrue representations in the practice of medicine and she engaged in practice harmful or detrimental to the public. Under the terms of the Settlement Agreement, Dr. Asturias-Zarate's Iowa medical license is indefinitely suspended.

Charles C. Cook, M.D., a 49 year-old physician from Bettendorf, Iowa, entered into a Settlement Agreement with the Iowa Board to resolve pending disciplinary charges. On December 12, 2001, Dr. Cook was charged by the Iowa Board after the Arkansas Medical Board revoked his Arkansas medical license based on allegations of substance abuse. Dr. Cook has not practiced medicine in Iowa for some time. Under the terms of the Settlement Agreement, Dr. Cook's Iowa medical license is indefinitely suspended.

Jerald J. Phipps, D.O., a 44 year-old physician practicing in Boone, Iowa, had a Decision issued following a hearing before the Board on September 18 and 19, 2002, on pending disciplinary charges. On March 29, 2002, Dr. Phipps was charged by the Board for engaging in the practice of medicine while under the influence of alcohol and with the inability to practice medicine with reasonable skill and safety due to the excessive use of alcohol. Under the terms of the Board's Decision, Dr. Phipp's Iowa medical license is placed on probation for a period of three years under certain terms and conditions due to alcohol abuse.

Robert S. Tomas, M.D., a 51 year-old physician practicing in Dubuque and Dyersville, Iowa, entered into a Settlement Agreement with the Board to resolve pending disciplinary charges. On May 29, 2002, Dr. Tomas was charged by the Board for permitting the inappropriate transportation of an injured child, failing to perform an appropriate inquiry to rule out potential child abuse and failing to appropriately report potential child abuse. Under the terms of the Settlement Agreement, Dr. Tomas was issued a Citation and Warning, ordered to pay a \$5,000 fine, and complete a Board-approved medical education course in the area of child abuse recognition and reporting.

Jess M. Zarate, M.D., a 54 year-old physician from West Des Moines, Iowa, entered into a Settlement Agreement with the Board to resolve pending disciplinary charges. On October 18, 2001, Dr. Zarate's Iowa medical license was suspended for 30 days and placed on probation for a period of five (5) years due to billing irregularities. On February 19, 2002, Dr. Zarate was charged by the Board with knowingly aiding a person in the unlawful practice of medicine, knowingly making untrue representations in the practice of medicine, willfully violating a lawful rule of the Board and engaging in practice harmful or detrimental to the public. Under the terms of the most recent Settlement Agreement, Dr. Zarate's Iowa medical license is suspended for a period of one year, he is permanently prohibited from performing any aspect of the billing functions in the practice of medicine and he is ordered to pay a \$10,000 fine. At the conclusion of the one-year suspension, Dr. Zarate's Iowa medical license will be placed on probation for a period of five years under certain terms and conditions.